

REMARKS

Claims

Claims 1-12, and 14-22 are pending, with claims 1, 12, 14, and 16 being independent. Claims 1-12, 14, and 16-21 have been amended. Claims 22-23 have been newly added. No new subject matter has been added.

Informalities

The rejection has stated that: "Formal Drawings are required to be submitted by the applicant." Applicant respectfully disagrees. According to MPEP 608.02(b):

The Office no longer considers drawings as formal or informal. Drawings are either acceptable or not acceptable. Drawings will be accepted by the Office of Patent Application Processing (OPAP) if the drawings are readable and reproducible for publication purposes.

Applicant believes that the documents submitted as replacement drawings on July 6, 2001, are acceptable within the meaning of MPEP 608.02(b). Applicants request the Office to specify how the drawings filed July 6, 2011 do not meet these requirements if this objection is maintained.

Rejections Based on Non-Statutory Subject Matter

Claims 16-21 are rejected, under 35 U.S.C. §101, as being allegedly directed to non-statutory subject matter. The basis for the rejection is that the claims do not explicitly state that the claimed computer-readable storage medium is "non-transitory." Without agreeing to the propriety of the rejection and solely in an effort to expedite prosecution of this application, Applicant has amended the claims to recite "non-transitory computer-readable

storage medium.” As such, withdrawal of the rejection of claims 16-21 under 35 U.S.C. §101 is requested.

Rejections Based on Obviousness

Claims 1-5 and 7-12

Claims 1-5 and 7-12 are rejected, under 35 U.S.C. §103(a), as allegedly being obvious over U.S. Patent Application No. 6,321,231 to Jebens et al. (hereafter “Jebens”) in view of U.S. Patent No. 6,671,757 to Multer et al. (hereafter “Multer”). This rejection is respectfully traversed because the references relied upon, either alone or in combination with one another, do not teach or suggest all the features of the claimed invention. Nonetheless, solely to expedite prosecution of this application Applicants have amended the claims to clarify various features of the claimed invention.

More particularly, Jebens and Multer fail to teach or suggest at least the following features of claim 1, for example:

“a non-volatile storage medium capable to store digital content from a data communication network, *wherein the digital content comprises a first digital content and a second digital content, the first digital content including a link to the second digital content; ...*

a processor, communicatively coupled to the non-volatile storage medium, that is operable to execute the web browser, *wherein a selection of the link in the first digital content displayed using the web browser causes retrieval of the second digital content from the non-volatile storage medium and display of the retrieved second digital content using the web browser”*

Per various features of the claimed invention, the first digital content and second digital content are stored in a non-volatile storage medium of a portable apparatus. The first digital content contains a link to the second digital content such that when the link is selected, the second digital content is retrieved from the storage medium and displayed using the web browser.

Jebens appears to teach creation of a publication incorporating one or more digital images (see abstract). *Assuming arguendo* that the digital images correspond to the claimed digital content, as claimed (which Applicant does not concede), Jebens fails to teach or suggest that a first digital image includes a link to a second digital image and that selection of the link causes the retrieval of the second digital image from a non-volatile storage medium and display of the retrieved second digital image using a web browser, as claimed.

Multer does not remedy this failure of Jebens with respect to Claim 1. For at least this reason, Jebens and Multer fail to teach or suggest all the features of the claimed invention. Claim 12 recites features that are similar to claim 1. Thus, claim 12 is patentable for similar reasons to those described above with reference to independent claim 1. As such, the rejection of claims 1 and 12 is improper and must be withdrawn.

Claims 2-5 and 7-11 depend from and add features to claim 1. These dependant claims are not rendered obvious by the relied upon references for at least the reasons set forth above with regard to the claims from which they depend. Accordingly, the rejection of these dependant claims is improper and must be withdrawn.

Claim 6

Claim 6 is rejected, under 35 U.S.C. §103(a), as allegedly being obvious over Jebens in view of Multer and U.S. Patent No. 6,275,746 to Leatherman et al. (hereafter “Leatherman”). Claim 6 depends from Claim 1. Leatherman discusses a fuel dispenser that connects to the Internet. As such, Leatherman fails to remedy the above-described failure of Jebens in view of Multer. As such, Claim 6 is patentable over the cited combination by virtue of its dependency.

Claims 14-20

Claims 14-20 are rejected under 35 U.S.C. §103(a), as allegedly being obvious over Jebens in view of Multer and U.S. Patent No. 6,170,074 to Kondo et al. (hereafter “Kondo”). This rejection is respectfully traversed because the references relied upon, either alone or in combination with one another, do not teach or suggest all the features of the claimed invention. Nonetheless, solely to expedite prosecution of this application Applicants have amended the claims to clarify various features of the claimed invention.

More particularly, Jebens, Multer, and Kondo fail to teach or suggest at least the following features of claim 14, for example:

“receiving a data cast transmission including content bundles, wherein the data cast transmission is a high definition television (HDTV) transmission, and wherein the content bundles are received on unused portions of the HDTV transmission”

Content bundles are defined as “groups of self-referencing web pages that are put together by the publisher of that content, and then compressed for ease of delivery.” *See* pg. 27 of the Specification-as-filed.

The rejection erroneously alleges that Jebens at col. 5, lines 32-55 discloses a data cast transmission including content bundles. Jebens discusses low resolution and high resolution images and the use of images to create publications. However, Jebens fails to teach or suggest the use of content bundles in the claimed fashion. Multer and Kondo fail to cure the deficiencies of Jebens.

Furthermore, the rejection admits that Jebens and Multer fail to teach or suggest that the data cast transmission is a HDTV transmission and relies on Kondo to remedy this deficiency of Jebens and Multer. In particular, the rejection alleges that Kondo at col. 1, lines 13-40 teaches this feature. Kondo appears to merely mention that “burst error loss affecting transmitted and/or stored signals is seen in high definition television (“HDTV”) signals.” However, Kondo fails to teach or suggest that a data cast transmission including content bundles is a HDTV transmission and that the content bundles are received on unused portions of the HDTV transmission, as claimed.

For at least this reason, Jebens, Multer, and Kondo fail to teach or suggest all the features of the claimed invention. Claim 16 recites features that are similar to claim 14. Thus, claim 16 is patentable for similar reasons to those described above with reference to independent claim 14. As such, the rejection of claims 14 and 16 is improper and must be withdrawn.

Claims 15 and 17-21 depend from and add features to one of claims 14 or 16. These dependant claims are not rendered obvious by the relied upon references for at least the reasons set forth above with regard to the claims from which they depend. Accordingly, the rejection of these dependant claims is improper and must be withdrawn.

Claim 21

Claim 21 is rejected under 35 U.S.C. §103(a), as allegedly being obvious over Jebens in view of Multer, in view of Kondo and further in view of Leatherman. Claim 21 indirectly depends from Claim 16. Leatherman fails to remedy the above-described failure of Jebens in view of Multer and Kondo. As such, Claim 21 is patentable over the cited combination by virtue of its dependency.

Newly Added Claims

Newly added claims 22-23 depend from and add features to claim 1. These dependant claims are not rendered obvious by the relied upon references for at least the reasons set forth above with regard to claim 1.

Conclusion

The Applicants therefore respectfully request reconsideration and allowance of the pending claims. A Notice of Allowance is respectfully requested. If the Examiner has any questions concerning the present amendment, the Examiner is kindly requested to contact the

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undersigned at (408) 341-3015. If any other fees are due in connection with filing this amendment, the Commissioner is also authorized to charge Deposit Account No. 09-0528.

Respectfully submitted,
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